

# CalARP Regulation Updates Summary

As many of you may already know, the CalARP Program Regulation had been in review and under revision for several years. As of **January 1, 2015**, the revisions to the regulation became final. The updated CalARP Regulation can be found on the Governor's Office of Emergency Services website: <http://www.caloes.ca.gov/HazardousMaterials/Pages/Cal-ARP-Regulation-Amendments-2015.aspx>

Below is a summary of the changes that may affect the CalARP Program implementation at your facility:

## CalARP Level 2 and 3 Programs

- ▶ PSI (Program Level 3 Only)
  - Although required per the MOC process, it is now specified specifically in the PSI that the document is to be kept current.
  - Reactivity data and chemical compatibility must be documented as part of the hazards of the substance.
- ▶ Operating Procedures (Program Level 2 Only)
  - The criteria triggering a review/update to the SOPs was revised to state the SOPs are to be developed / updated to reflect current practice.
- ▶ Training
  - Operators must be trained on any updated or new procedure prior to needing to use that procedure.
  - Document the initial and refresher training for each employee. (Program Level 2 Only)
- ▶ Mechanical Integrity / Maintenance
  - The list was expanded to include compressors and their drivers. (Program Level 3 Only)
  - Prepare and implement written procedures. (Program Level 2 Only)
  - Ensure that each contractor can document that their employees are trained to perform the maintenance and appropriate operating procedures. (Program Level 2 Only)
- ▶ Incident Investigation
  - Reports must include all data required under the Five Year Accident History section of the RMP.
  - Recommendations are to be addressed based on a timetable agreed upon with the AA otherwise completed within 1.5 years of the completion of the investigation or 2 years after the date of the incident, whichever is earlier. Resolutions and completion dates must be documented.
- ▶ Management of Change (Program Level 3 Only)
  - The MOC procedure must assure that modifications to and/or development of new maintenance procedures are addressed prior to the change. Note: Operating had previously been included however maintenance procedures were added.
  - If the change affects the operating or maintenance procedures, the procedures must be updated prior to start-up.

- ▶ Pre-Startup Safety Review (Program Level 3 Only)
  - The PSSR is to be a verification checklist, independent of the MOC process.
- ▶ Contractors (Program Level 3 Only)
  - Clarification added that the evaluation of performance must be documented.
- ▶ Emergency Response (For Non-Responders)
  - The plan must be included in the HM area plan and/or business plan, not only the community emergency response plan. In addition, the facility must document coordination with the local fire department and hazardous materials response agency.
  - Written procedures in addition to appropriate mechanisms are to be developed to notify emergency responders.

### Revalidation

- ▶ Process Hazard Analysis (PHA) / Hazard Review
  - Revalidation was defined as: Critical Review of the PHA (hazards understood, existing safeguards are properly identified, addressed recommendations, risk ranking is accurate, relevant incidents and near misses are evaluated)
  - Recommendations are to be addressed based on a timetable agreed upon with the AA otherwise completed within 2.5 years, for recommendations made as of January 1, 2015. Resolutions and completion date must be documented.
  - Based on the added definition, a hazard review can only be revalidated once between full reviews, unless the AA agrees in writing that a full review is unwarranted. If a hazard review cannot be located, a new one must be conducted. (Only stated for Program Level 2 processes)
  - Clarification for Hazard Reviews: The study, all updates/revalidations, and the documented resolution of recommendations must be retained for the life of the process.
- ▶ Hazard Assessment
  - A third criteria was added to the alternative release scenario: The release must reach a public receptor.
  - In determining the alternative release scenario, the facility must consider accidents / incidents or events in related industries that are publicly available, in addition to the Five Year Accident History and failure scenarios discussed in the Hazard Review / PHA.
  - The five year review and update must be documented.

### Compliance Audits

- Recommendations are to be addressed based on a timetable agreed upon with the AA otherwise completed within 1.5 years as of January 1, 2015. Resolutions and completion date must be documented.
- The audit report must detail the scope of the audit, methods used, and the resulting findings. The report, including the results, shall be available for the AA to review. (Program Level 3 Only)

## Miscellaneous

- ▶ Removed the provision that the AA will notify the site to submit an RMP.
- ▶ Removed the Initial Public Notice however the Formal Public Review is still present and the notice for the public review can be made in the local newspaper or on the AA's website.
- ▶ The Executive Summary shall be included in RMP submittal for all Program Levels.
- ▶ Coordinating with local emergency planning and response agencies
  - Site Visits by First Responders (Program Level 1 Only)
- ▶ AA Review
  - A timeline must be developed to address recommendations from an inspection by the AA must be addressed based on. The recommendations must be addressed as soon as practicable but no later than one year after the final determination has been issued unless the AA agrees in writing before they are overdue.
  - Document the actual completion dates for the corrections.
- ▶ Availability of Information to Public
  - The submittal documents are available to the public except the OCA. However, an inquirer may be given read only access to it by the AA

In summary:

- A change (mechanical, procedural, personnel) will affect more than one section of the CalARP.
- Pay attention to the new requirements for Revalidations and Audits.
- Know your procedures for handling releases.

**REMEMBER IMPLEMENTATION OF YOUR CALARP IS ON-GOING!**